

MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Proposal File #: P-07-0001 **Zoning:** R-1 & O
Proposal: Liberty View Villas Preliminary Plat
Proposal Description: Subdivision to create 49 single family lots in the R-1 Zone, 2 open space tracts in the O Zone, & 2 tracts for the private street system serving the project
General Location: W. of Liberty Lake Rd. & Settler Drive
Owner: Flophouse, LLC (Brian Main) **Phone:** 509-599-4455
Contact: Storhaug Engineering (John Konen) **Phone:** 509-242-1000
MDNS Determination Issued: 7/10/07 **Appeal Closing Date:** 4pm, 7/24/07

LEAD AGENCY: CITY OF LIBERTY LAKE

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment; provided the applicant complies with the mitigation measures listed below and the attached conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The complete record in this matter is on file during the appeal period with the review authority listed below and is available to the public upon request.

- ☒ There is no comment period for this MDNS; pursuant to WAC 197-11-350 (1).
- ☐ This MDNS is issued under WAC 197-11-350 (2); the lead agency will not act on this proposal for at least 14 days from the date issued (below). Comments must be received by: _____, if they are intended to alter the MDNS.

MITIGATING MEASURES:

In addition to the plans and specifications submitted for permit and SEPA review, the following mitigation is required:

1. Participation in the Harvard Rd. Mitigation Plan and any other impact fees, such as that for schools, parks, etc., approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
2. Prior to final plat submittal, the applicant shall supply a traffic analysis for Liberty Lake Rd. to demonstrate adequate sight distance availability at the proposed intersection of Liberty Lake Rd. and "Liberty View Lane." Off-site improvements may be required by the City of Liberty Lake to mitigate traffic problems and increase pedestrian circulation.
3. The final plat shall comply with the City Development Code Chapter 6, Environment, specifically as related to critical areas and any form of potential disturbance to critical areas shall be reviewed and mitigated as required by Chapter 6.
4. Development of the site shall comply with the City Development Code Section 10-3C-2, Landscape Conservation. Mapping of trees within right-of-way and critical areas shall be required at time of final plat civil plan submittals.
5. A Temporary Erosion and Sedimentation Control (TESC) plan is to be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan is to be prepared using best management practices (BMP's) currently accepted within the Civil Engineering profession. The TESC plan is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction, including house construction.
6. Geotechnical exploration and analysis to address slope stability, specifically with the design of slopes, walls, streets, utilities, structures, and earthwork shall be conducted prior to preparation of the civil plans for the final plat. Copies of the final geotechnical engineering evaluations / studies shall be submitted with the civil plans for the final plat.
7. Development of the site shall comply with the City Development Code Article 10-3H, the Stormwater Management Manual for Eastern WA.
8. A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.
9. The operator of a construction site which disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.
10. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program requirements shall be required.
11. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells must comply with the ground water quality requirement (nonendangerment standard) at the top of the ground water table.
12. The requirements for Spokane Clean Air (formerly SCAPCA) shall be met at the time of project construction.
13. Additional comments for this project are included within the proposed Conditions of Approval for the project.

I acknowledge the above mitigating measures to be modifications and adjustments to the above-described proposal and warrant that I will not oppose, object to, or contest these measures in the future.

Printed Name: John D. Kohen

Title: Agent for Applicant

Signature: John D. Kohen

Date: July 6, 2007

APPEAL OF THIS DETERMINATION, allowed under City Development Code Section 10-6A-7, subsection "C" shall be filed within fourteen (14) days after the determination has been made and is appealable. Any administrative appeal of a procedural or substantive determination under SEPA issued at the same time as the decision on the project action shall be filed within fourteen (14) days after notice of the decision has been made and is appealable. In order to allow public comment on a MDNS prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven (7) days if the appeal is of a MDNS for which public comment period is required under the provisions of the City Environmental Ordinance or chapter 197-11 WAC. A notice of appeal must be delivered to P&CD by mail or personal delivery and must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

A copy of this SEPA determination has been provided to the Dept. of Ecology - Olympia, Dept. of Transportation - Spokane County, Other Reviewing Agencies, and the project applicant.

A Notice of Public Hearing / SEPA Threshold Determination will also be printed in the 7/12/07 edition of the Liberty Lake Splash.

REVIEW AUTHORITY:

RESPONSIBLE OFFICIAL: Doug Smith, Director of Community Development



Planning & Community Development Department

22710 E. Country Vista Blvd., Liberty Lake, WA 99019

Phone: (509) 755-6707, Fax: (509) 755-6713, www.libertylakewa.gov

Date Issued: July 10, 2007

Signature: _____